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ORDINANCE NO. 47-050

AN ORDINANCE AMENDING 26.04.010, 26.04.020, 26.04.030, 26.04.040, 26.04.041, 26.04.060, 26.04.070, 26.04.080, 26.04.120, 26.04.135 AND 26.04.200, CREATING SECTIONS 26.04.035, 26.04.036, 26.04.038, 26.04.115, AND 26.04.117 OF THE CODE OF THE CITY OF WICHITA, KANSAS, AND REPEALING THE ORIGINALS OF SECTIONS 26.04.010, 26.04.041, 26.04.042, 26.04.043, 26.04.060, 26.04.070, 26.04.080, 26.04.119, 26.04.120, 26.04.135 AND 26.04.200, OF THE CODE OF THE CITY OF WICHITA PERTAINING TO MOBILE HOMES AND MOBILE HOME PARK REGULATIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Section 26.04.010 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**"Definitions.** As used in this chapter: 'Camp'" means a recreational vehicle campground.

'Health officer' means the Director of Environmental Services or his or her authorized representative.

'House trailer' -- See 'Recreational vehicle.'

'Inspection officer' means the superintendent of central inspection, or his or her authorized representative.

'Licensed Manufactured Home Installer' means a contractor who has been licensed by the State of Kansas pursuant to the Manufactured Housing Act, K.S.A. 58-4202, *et seq.* and amendments thereto.

‘Manufactured home’ means a structure which is subject to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §4501, *et seq.*, when erected on site, is 320 or more square feet; and which is built on a permanent chassis and designed to be used as a dwelling, with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein.

‘Manufactured home subdivision’ means a subdivision within the ‘MH’ manufactured housing zoning district which is platted for development as individual home sites for manufactured homes, modular homes, or residential-design manufactured homes and site-built single-family dwellings, to be placed on permanent foundations as required for permanent structures.

‘Mobile home’ means a movable detached single-family dwelling unit that was manufactured prior to 1976 and is not subject to the National Manufactured Home Construction and Safety Standards Act of 1974, 42 U.S.C. §5401, *et seq.* and amendments thereto, or HUD code. Such units shall provide all of the accommodations necessary to be a dwelling unit and shall be connected to the utilities in conformance with all of the applicable regulations. The term ‘manufactured home’ or ‘mobile home’ does not include a recreational vehicle.

‘Manufactured home park’ means a parcel of land, which has been planned and improved in some manner, and used or intended to be used by one or more occupied mobile homes or manufactured homes not placed on permanent foundations. The term manufactured home park does not include sales lots on

which unoccupied mobile or manufactured homes, whether new or used, are parked for the purposes of storage, inspection or sale.

‘Manufactured home space’ means a plot of ground within a manufactured home park or non conforming mobile home park which is to accommodate one manufactured home or mobile home and which provides service facilities for water, sewage and electricity.

‘Modular home’ means a structure consisting of one or more components manufactured off-site in conformance to the standards of the building code of the city and related technical codes and moved to the construction site for final assembly as a dwelling unit, and placed on permanent foundations as required for permanent structures.

‘Non-conforming use’ means the use of any land, building or structure that does not comply with the use regulations of the zoning district in which such use is located, but that complied with the use regulations in effect at the time the use was established.

‘Occupy,’ ‘occupancy,’ or ‘occupied’ means the use of any mobile home, manufactured home or recreational vehicle by any person for living, sleeping, cooking or eating purposes for any period of four or more consecutive days.

‘Operator’ means the person or business that has charge, care or control of a licensed or unlicensed manufactured home park, nonconforming manufactured or mobile home park, or camp or portion thereof, and/or the person or business that holds the license for a manufactured home park, a nonconforming mobile home park, or camp.

‘Park’ means manufactured home or nonconforming mobile home park.

‘Person’ means any individual, firm, trust, partnership, association or corporation.

‘Recreational vehicle’ means a unit designed as temporary living quarters for recreational, camping or travel use; units may have their own power, or be designed to be drawn or mounted on an automotive vehicle. Recreational vehicle shall include motor homes, travel trailers, truck campers, camping trailers, converted buses, house boats or other similar units as determined by the superintendent of central inspection.

‘Recreational vehicle campground’ means a lot, tract or parcel of land designed for occupancy by recreational vehicles for temporary or transient living purposes, including the use of camping spaces for tents.

‘Residential-design manufactured home’ means a manufactured home on a permanent foundation which has minimum dimensions of twenty-two body feet in width, a pitched roof, and siding and roofing materials which are customarily used on site-built homes, and complies with the architectural and aesthetic standards specified in Section IV-D of the Unified Zoning Code, Title 28 of the Code of the city of Wichita. A residential-design manufactured home shall be considered a single-family dwelling.

‘Roadway’ means any private street located within a park or camp and providing for the general vehicular and pedestrian circulation within the park or camp.

‘Service building’ means a building housing all of the following: separate toilet facilities for men and women, laundry facilities and separate bath or shower accommodations. Such building may also include other associated uses such as an office and recreational facilities for the camp or park.

‘Trailer camp’ -- See ‘Recreational vehicle campground.’

SECTION 2. Section 26.04.020 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**“Location of manufactured homes, mobile homes and recreational vehicles.** It is unlawful for any person to occupy a manufactured home or mobile home in the city unless such manufactured home or mobile home is located in a manufactured home park or a nonconforming mobile home park in conformance with all regulations for a manufactured home park or a nonconforming mobile home park; and it is also unlawful for any person to occupy a recreational vehicle in the city unless such recreational vehicle is located in a camp.

**Exceptions:**

(a) A manufactured home may be occupied at a construction site by a night watchman or construction project workmen when approved by the superintendent of central inspection when deemed necessary for security and/or construction purposes. Such permission may be canceled by the superintendent of central inspection upon three days written notice, when in his opinion the intent of this section is being violated.

(b) A manufactured home may be occupied other than within a park for a period not to exceed thirty days when a permit is secured in accordance with Section 26.04.060(c).

(c) A recreational vehicle may be occupied other than within a camp for a period not to exceed thirty days when a permit is secured in accordance with Section 26.04.060(c).

(d) A recreational vehicle may occupy a manufactured home space or mobile home space in a park for a period not to exceed thirty days, provided a service building as required for a camp is within two hundred feet of the space so occupied. Under no circumstances shall the number of manufactured home spaces and/ or mobile home spaces within a park be occupied by recreational vehicles in excess of five percent of the total number of manufactured home spaces and/or mobile home spaces provided, or a total of three, whichever is larger.

(e) A manufactured home may be occupied on a lot in a manufactured home subdivision provided it is placed on a permanent foundation and a building permit is obtained for construction and conversion to a permanent structure.

(f) A manufactured home may be occupied as a one-family dwelling as a residence for a watchman, caretaker or guard for an industrial use in the "LI" or "GI" industrial zoning districts, provided such home is placed on a permanent foundation.”

SECTION 3. Section 26.04.030 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**“Park license.** All persons operating parks shall obtain a park license, upon the expiration of their existing license, with such new license being issued only after review of the application pursuant to 26.04.035 and 26.04.070 and payment of the required fee. All persons developing new parks shall obtain a park license before occupancy of such park, with such license being issued only after review of the application pursuant to 26.04.035 and 26.04.080 and payment of the required fee. Said park licenses for both existing and new parks shall be renewed annually, twelve months from the date of the previous license, after approval by the inspection officer and health officer and after the payment of the required fee. It shall be unlawful for any person or operator to operate a park without a current park license.”

SECTION 4. Section 26.04.035 of the Code of the City of Wichita, Kansas is created to read as follows:

**“License – refusal to issue or renew.** The Superintendent of Central Inspection shall refuse to approve issuance or renewal of a manufactured home park or camp license for one or more of the following reasons:

- (1) The making of any false statement as to any material fact in an application for a license or a license renewal;
- (2) Violation by the licensee, applicant, operator or any employee of the licensee or applicant of a provision of this chapter;
- (3) If the applicant, or any partner, spouse or corporate officer of the applicant has had a manufactured home park license issued under this chapter and the same has been revoked within 18 months prior to the application.”

SECTION 5. Section 26.04.036 of the Code of the City of Wichita, Kansas, is created to read as follows:

**“Service of notice of violations.** Whenever the superintendent of central inspection determines that there has been a violation of any provision of this chapter or of any use or regulation adopted pursuant thereto, he shall give notice of such alleged violation to the person or persons responsible therefore as hereinafter provided. Such notice shall:

1. Be in writing;
2. Particularize the violations alleged to exist or to have been committed;
3. Provide a reasonable time for the correction of the violation particularized;
4. Be addressed to and served upon the licensee of the property or the operator of the park, provided that such notice shall be deemed to be properly served upon such owner or operator if a copy thereof is served upon him personally or if a copy thereof is sent by certified mail to his last known address. Such notice shall contain an outline of remedial action which if taken, will effect correction of the particularized alleged violations.

The licensee or operator shall be given a period of not less than thirty (30) days to remedy any alleged violation, prior to a criminal complaint being filed against the licensee or operator.”

SECTION 6. Section 26.04.038 of the Code of the City of Wichita, Kansas, is created to read as follows:

**“Appeal from refusal to issue or renew.** If the Superintendent of Central Inspection refuses to issue or renew a license under this chapter, such action is final unless the applicant or licensee, within ten business days after the date of the refusal to renew a license, files a written appeal with the city council setting forth specific grounds for the appeal. While the appeal is pending before the city council, the licensee shall be allowed to operate any existing manufactured home park. The city council shall, within thirty days, grant a hearing to consider the action and may sustain, reverse or modify the action appealed.

SECTION 7. Section 26.04.040 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**“Camp license.** All persons operating camps shall obtain a camp license, upon the expiration of their existing park license, with such new license being issued only after approval by the inspection officer and the health officer and only after payment of the required fee. All persons developing new camps shall obtain a camp license before occupancy of such camp, with such license being issued only after compliance with, and in accordance to, the same procedure as described in Section 26.04.030 for issuance of a park license involving approval by appropriate officers, annual renewal and payment of the required fee. No person shall operate a camp without an approved current license.”

SECTION 8. Section 26.04.041 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**"Permits required for installation of manufactured homes.** A manufactured home building permit shall be obtained from the office of central inspection for every manufactured home which is installed or relocated within the city of Wichita. Manufactured home building permits may only be obtained by a licensed manufactured home installer or by the owner of the manufactured home. Permits and inspections for any building, electrical, plumbing, sewer or mechanical construction work must be obtained as required by the city of Wichita building, electrical, plumbing, sewer and mechanical codes (Titles 18, 19, 21, 16 and 22 of the Code of the city of Wichita)."

SECTION 9. Section 26.04.042 of the Code of the City of Wichita, Kansas, is hereby repealed.

SECTION 10. Section 26.04.043 of the Code of the City of Wichita, Kansas, is hereby repealed.

SECTION 11. Section 26.04.060 of the Code of the City of Wichita, Kansas, is amended to read as follows:

**"License and permit fees.**

(a) The annual fees for any park shall be as follows:

One manufactured home space	....	\$ 60.00
Two manufactured home spaces	....	90.00
Three to fifteen manufactured home spaces	.....	100.00
Sixteen to twenty-five manufactured home spaces	.....	120.00
Twenty-six to fifty manufactured		

home spaces .....	160.00
Fifty-one to seventy-five manufactured home spaces .....	220.00
Seventy-six to one hundred fifty manufactured home spaces .....	420.00
Over one hundred fifty manufactured home spaces .....	420.00

Plus twenty dollars for each ten  
manufactured home spaces, or major  
fraction thereof, over one hundred fifty.

(b) The annual fees for a camp shall be as follows:

Two recreational vehicle spaces .....	\$ 90.00
Three to fifteen recreational vehicle spaces .....	100.00
Sixteen to twenty-five recreational vehicle spaces .....	120.00
Over twenty -five recreational vehicle spaces .....	120.00

Plus twenty dollars for each ten  
recreational vehicle\_spaces, or major  
fraction thereof, over twenty-five.

(c) A temporary permit may be issued for a mobile home or house trailer to be occupied other than within a park or camp, permitted in accordance with Section 26.04.020(b) and 26.04.020(c) for a period not to exceed thirty days, upon the payment of a fee of five dollars. There shall not be more than two such permits issued for the placement of a mobile home or house trailer in accordance with Section 26.04.020(b) and 26.04.020(c) on the same property in any twelve-month period.”

SECTION 12. Section 26.04.070 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**“Existing parks.** All persons operating existing parks shall obtain the appropriate license as required by Section 26.04.030 or 26.04.040 upon the expiration of the current park license. The inspection officer shall determine the appropriate classification for each park based on the records that have been filed with the various departments of the city in the applications for the existing license. Such license applications shall include: the name, address and telephone number of the applicant; the location and legal description of the park or camp; including a plot plan showing the park or camp dimensions; number and location of manufactured home or house-trailer spaces.

All persons operating parks existing on September 20, 1969, that have been developed after March 3, 1964, in accordance with all the standards of Ordinance No. 27-552, shall be permitted to be licensed annually as nonconforming, providing such parks are maintained in compliance with all the provisions of said ordinance. Failure to license any such park for a period of 24 months shall constitute abandonment of the nonconforming use.

In addition to complying with the applicable provisions of Ordinance no. 27-552 as stated above, all existing parks shall comply with Sections 26.04.200 and 26.04.210. Only those existing parks that comply with all the requirements for new manufactured home parks will be eligible for the “MH” manufactured housing district under the Unified Zoning Code, Title 28 of the Code of the City of Wichita.

No addition shall be made to any existing park after January 1, 1970, except as permitted by Section 26.04.080 for a new park.”

SECTION 13. Section 26.04.080 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**“Applications for license for new parks and camps.** All persons developing new parks and camps after September 20, 1969, shall make an application to the inspection officer for the appropriate park or camp license. Applications for manufactured home parks may be made only after a development plan has been approved by the director of the Wichita-Sedgwick County metropolitan area planning department or his authorized representative in accordance with the Unified Zoning Code, Title 28 of the Code of the City of Wichita. When platting is required, the development plan shall be submitted at the preliminary platting stage and when approved shall constitute approval by the director of the Wichita-Sedgwick County metropolitan area planning department. When platting is not required, a sketch plan showing the relationship of the manufactured home spaces to the roadways, parking, open space and other information affecting the overall environment of the park may be submitted at any time for approval by the director of the Wichita-Sedgwick County metropolitan area planning department.

The application to the inspection officer shall be in triplicate, in writing, signed by the applicant and shall include the following: the name, address and telephone number of the applicant; the location and legal description of the park or camp; at least three complete sets of plans showing compliance with all applicable provisions of this chapter, including a plot plan drawn to scale, at not less than one inch equal to one hundred feet, showing the park or camp

dimensions; number and location of manufactured home or house-trailer spaces; location and width of roadways, sidewalks, off-street parking and easements; location, size and specifications of buildings, sewers, water lines and gas lines; the location and specifications of any sewage disposal system and water supply system; the existing topography and a drainage grading plan. The submitted plans may be approved by the inspection officer for construction only after they have been reviewed and approved by the director of the Wichita-Sedgwick County metropolitan area planning department and the health officer. Approval and issuance of a park license for such new parks, and of a camp license for such new camps, shall not be made until construction in accordance with the approved plans has been completed.

An application for any addition to an existing park shall be processed as an application for a new park. Only those existing parks determined to be nonconforming parks as set forth in Section 26.04.070(b) or existing parks complying with this chapter may be expanded. Such application, in addition to the information required above, shall designate the portion of the park that is nonconforming or nonstandard. The expansion of any park shall conform to this chapter and under no circumstances shall the total park area be less than the area required for a new park.”

SECTION 14. Section 26.04.115 of the Code of the City of Wichita, Kansas, is created to read as follows:

Enforcement and Inspection. The Superintendent of Central Inspection, or his designee, and the Director of Environmental Health, or his/her designee, is

authorized to inspect and approve the licensee's premises and to insure compliance with all the ordinances of the City of Wichita governing public health, safety and welfare.

SECTION 15. Section 26.04.117 of the Code of the City of Wichita, Kansas, is created to read as follows:

**License--Revocation.** (a) The city council, upon five days' written notice to the licensee shall have the authority to revoke a manufactured home park license for one or more of the following reasons:

(1) The making of a false statement as to a material matter in an application for a license or license renewal;

(2) Violation of any of the provisions of this chapter by the licensee, operator or any employee of the licensee;

In case of the revocation of a license of any license, no new license shall be issued to such person or to any other person acting for or on such person's behalf, for a period of 18 months after the revocation becomes effective.

(b) The order of revocation shall set forth the time period allowed for the licensee to cease park operations. Notice of the revocation shall also be served by the Office of Central Inspection to each manufactured home occupant of the manufactured home park by regular mail, hand delivery or posting of the order on manufactured homes within the park.

(c) Within thirty (30) days after the order revoking any license, the licensee may appeal from such order to the district court of the county in the manner provided by law; provided, that any appeal taken from an order revoking

any such license shall suspend the order or revocation during the pendency of such appeal.

SECTION 16. Section 26.04.119 of the Code of the City of Wichita, Kansas, is hereby repealed.

SECTION 17. Section 26.04.120 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**“Park and Camp Layouts.** (a) Area -- Manufactured home parks shall contain the minimum area as required by the Unified Zoning Code, Title 28 of the Code of the City of Wichita. Trailer camps shall contain a minimum of one thousand five hundred square feet for each camping space.

(b) Setbacks -- All mobile homes and manufactured homes shall comply with the setbacks and clearances as set forth for manufactured home parks in Article III, Section III.B(10) of the Unified Zoning Code, Title 28 of the Code of the City of Wichita.

**Exceptions to accessory structure setback requirements.**

1. Accessory structures of noncombustible construction which do not exceed one hundred square feet in area and have no electrical power may be located closer than three feet to the main use structure or other appropriately located accessory structures on the same manufactured or mobile home park lot. Such accessory structures must be located at least ten feet from main use structures on any adjoining lot and at least six feet from any accessory structure on any adjoining lot.

2. Accessory structures exceeding one hundred square feet in area, of combustible construction or with electrical power may be located as close as six feet to the main use structure and as close as three feet to other appropriately located accessory structures on the same manufactured or mobile home park lot. Such accessory structures must be located at least ten feet from all structures on any adjoining lot. If an accessory structure greater than one hundred square feet in area is open on all sides and is constructed of noncombustible materials, such accessory structure may be closer than six feet to the main use structure on the same lot or may even abut the main use structure on the same lot. For such accessory structure, the minimum separation to an adjoining lot structure which is also constructed of noncombustible materials may be reduced from ten feet to six feet by the superintendent of central inspection.

All recreational vehicles shall be so located as to maintain a set back no less than ten feet from any side or rear boundary line when such boundary is not common to any public street or highway right-of-way.

(c) Roadway and Sidewalks -- All manufactured home spaces, mobile home spaces or recreational vehicle spaces shall abut upon a park or camp roadway, with no manufactured home, mobile home or recreational vehicle having its direct access from a public street or highway. Roadway widths shall be measured back to back of curbs for new manufactured home parks developed or expanded after January 1, 2007, Roadways where no parking is permitted shall

not be less than twenty-four feet. When parking is permitted on one side of the roadway, roadways shall not be less than thirty feet. When parking is permitted on both sides of the roadways, roadways shall not be less than forty-two feet. It shall be the responsibility of the park operator to post the roadways where parking is prohibited and enforce the limitations. Sidewalks within a park or camp shall be installed as required by the city sidewalk ordinance (Ordinance No. 36-327). All roadways shall have unobstructed access to a public street or highway, with all dead-end roadways being provided an adequate vehicular turnaround (cul-de-sac) with a diameter of not less than seventy feet, or shall have an alternate turnaround area such as hammerheads, etc., as may be approved by the planning department as providing service equal to the cul-de-sac. All park and camp roadways shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surfacing.

(d) Storage Lockers -- A storage locker of at least one hundred twenty cubic feet shall be provided for each manufactured home or mobile home space. Storage lockers shall be designed in a manner that will enhance the park and shall be constructed of suitable weather-resistant materials.

(e) Off-Street Parking -- Surfaced off-street parking shall be provided for each manufactured home, mobile home and recreational vehicle space and any additional parking as required by the Unified Zoning Code, Title 28 of the Code of the City of Wichita. No portion of the park roadways shall be used to provide the required off-street parking.

(f) Identification of Roadways and Spaces -- All park and camp roadways and manufactured home, mobile home or recreational vehicle spaces

shall be clearly identified with letters or numerals of a light-reflecting material. Such letters or numerals are to be a minimum of two inches in height. Such identification shall be in complete agreement with the plan prepared under Section 26.04.070.

(g) Recreation Space -- Each manufactured home park or expanded nonconforming manufactured home park shall devote at least eight percent of its gross area to recreation space for the use and enjoyment of the occupants of the park. Each such recreational space shall not be less than ten thousand square feet of land area. Required setbacks and clearances and the roadways and off-street parking spaces, shall not be considered as recreational space.

(h) Screening -- Screening of new or expanded manufactured home parks or expanded nonconforming manufactured home parks must be provided as required by the Unified Zoning Code, Title 28 of the Code of the City of Wichita.

(i) Lighting -- All park and camp roadways shall be lighted at night with seven-thousand-lumen 1 amps at a maximum interval of two hundred feet located approximately twenty feet from the ground, or friendship lights (gas or electric), with lighting equal to forty watts, and lighted automatically from dusk to dawn, shall be provided for each mobile home space adjacent to the park roadways, or at a maximum interval of seventy-five feet adjacent to camp roadways.

(j) Landscaping -- Landscaping of new or expanded manufactured home parks or expanded nonconforming manufactured home parks must provide

required landscaping in accordance with Chapter 10.32 of the Code of the City of Wichita.

SECTION 18. Section 26.04.135 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**“Mobile home park shelters.** (a) General Requirements. Every mobile home park of ten or more mobile home spaces which is constructed after April 15, 1994, shall be provided with above-grade or below-grade storm shelters which shall:

(1) Have a minimum floor area of ten square feet for each mobile home space in said mobile home park;

(2) Be designed by a licensed structural engineer or architect and built in accordance with plans sealed by said structural engineer or architect;

(3) Be designed and constructed to meet all Federal Emergency Management Agency (FEMA) requirements and guidelines if the shelter is located in a floodplain;

(4) Be designed and constructed to meet the minimum lighting, ventilation and exiting requirements of the city's currently adopted editions of the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code and National Electrical Code where applicable;

(5) Be designed and constructed to meet all applicable requirements of the Americans with Disabilities Act (ADA);

(6) Be located no farther than one thousand three hundred twenty linear feet from the furthest mobile home space in the mobile home park;

(7) Be designed with a perimeter drainage tile system and sump pump to remove water from the storm shelter (below grade shelter only); and

(8) Be designed with an electrical service for lighting with emergency lights. All one hundred twenty-five volt electrical receptacles shall have ground fault circuit interrupter protection, except single outlet receptacles for sump pump or specified equipment are not required to have ground fault circuit interrupter protection.

(9) Be marked in such a manner that the shelter is clearly visible to park residents. Signs shall state “storm shelter” with lettering at least six (6) inches in height.

(b) Additions to Existing Parks. For any addition of ten or more mobile home spaces to any existing mobile home park, a storm shelter which complies with the general requirements of subparagraph (a) of this section shall be provided to serve such additional spaces. For any addition of fewer than ten mobile home spaces to an existing mobile home park which otherwise complies with the requirements of subparagraph (a) or (e) of this section, there is no requirement that an additional shelter be provided to serve such additional spaces; provided, however, that when two or more such additions of fewer than ten mobile home spaces results in a cumulative addition of ten or more mobile home spaces to a mobile home park which otherwise complies with the requirements of subparagraph (a) or (e) of this section, a storm shelter which complies with the general requirements of subparagraph (a) hereof shall be provided to serve such additional spaces.

(a) Restroom Facilities. Restroom facilities in required storm shelters shall be optional. Toilets may be either flush-type operating from normal water supply, chemical or other types as approved by the Wichita-Sedgwick County health department.

(b) Access to Shelters. The mobile home park owner, or such owner's designated agent or representative, shall be responsible for making the storm shelter accessible and usable in times of need. Such shelters must be accessible whenever the City of Wichita is in a severe thunderstorm or tornado warning issued by the National Weather Service. It is unlawful for any required storm shelter to be used for storage purposes if such storage reduces the minimum floor area available for shelter of persons below the requirements of subparagraph (a) of this section.

(c) Existing Nonconforming Mobile Home Parks.

(1) Any mobile home park of ten or more mobile home spaces which has an existing above-grade or below-grade storm shelter as of April 15, 1994, which does not conform with the requirements of this section shall be deemed a nonconforming mobile home park with regard to the requirements for storm shelters and may continue to exist as a nonconforming mobile home park for so long as said existing shelter remains in place and usable; provided, however, that any mobile home spaces added to such park after April 15, 1994, shall require storm shelters as provided in subparagraph (b) of this section.

(2) Any mobile home park of twenty or more spaces which existed prior to April 15, 1994, and which had no above-grade or below-grade storm shelter on the mobile home park site as of April 15, 1994, shall be required to provide a storm shelter which complies with the requirements of this section by April 15, 1999; provided, however, that any mobile home spaces added to such park after April 15, 1994, shall require storm shelters as provided in subparagraph (b) hereof,

(f) Registration of Existing Shelters. By August 1, 1994, every owner or operator of any mobile home park of ten or more spaces shall submit a site plan and a written statement setting out the number of mobile home spaces in such park and a description of any storm shelters which existed on-site prior to April 15, 1994. This submission shall be made on forms provided by the office of central inspection and shall be annually updated with the mobile home park license renewal to show changes in the number of mobile home spaces and a description of any storm shelters constructed to serve such park.”

SECTION 19. Section 26.04.200 of the Code of the City of Wichita, Kansas, is hereby amended to read as to follows:

**“Register.** (a) It shall be the duty of the person operating each park and camp to keep a register containing a record of all mobile home, manufactured home and recreational vehicle owners and tenants located within each park and camp. The register shall contain the name and address of each occupant; the make, model, year and manufacturer of each mobile home, manufactured home or recreational vehicle; the owner of record of each mobile home, manufactured

home or recreational vehicle; the dates of arrival and departure of each mobile home, manufactured home or recreational vehicle; including the name of the contractors responsible for connections to the utilities. The person operating each park or camp shall keep the register available for inspection at all reasonable hours by law enforcement officers, assessor, public health officials and other officials whose duties necessitate acquisition of the information contained in the register. The original records of the register shall not be destroyed for a period of three years following the date of registration.

(b) It shall be the duty of the person operating each manufactured home park and camp to notify the inspection officer of every new or relocated mobile home installed within five business days of installation.

SECTION 20. The originals of Sections 26.04.010, 26.04.020, 26.04.030, 26.04.040, 26.04.041, 26.04.042, 26.04.043, 26.04.060, 26.04.119, 26.04.120, and 26.04.200 and of the Code of the City of Wichita, Kansas, are hereby repealed.

SECTION 21. This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall be effective upon its passage and publication once in the official city paper.

PASSED by the governing body of the City of Wichita, Kansas, this 20<sup>th</sup> of June, 2006.

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Carlos Mayans, Mayor

ATTEST:

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Karen Sublett, City Clerk

Approved as to Form:

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Gary E. Rebenstorf  
Director of Law